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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

HETTIE DENISE MATHIS,

Defendant and Appellant.

A135519

(Napa County Super. Ct.
No. CR113475)

On March 25, 2004, defendant Hettie Denise Mathis pleaded no contest to a felony charge of committing an assault by means of force likely to produce great bodily injury. She was sentenced to three years in state prison.

As a condition of parole, she was required to undergo treatment as a Mentally Disordered Offender (MDO) at the state hospital. On March 17, 2009, the Napa County District Attorney filed a petition to extend defendant's commitment. Defendant consented to a one-year extension. Subsequent petitions and stipulations between 2010 and 2011 resulted in new extensions. On February 8, 2012, the district attorney filed another petition to extend the commitment. Defendant's demurrer to the petition was denied. A jury found the allegations in the petition true. The court ordered defendant's MDO commitment at the California Institution for Women extended to June 9, 2013. Defendant filed a timely notice of appeal.

Defendant's counsel has filed an opening brief that sets forth the facts of the case and raises no arguable issues on appeal. Defendant was informed of her right to file a supplementary brief, but has not done so.

Because of the nature of the proceeding and the appeal therefrom, we proceed according to the rationale from *Conservatorship of Ben C.* (2007) 40 Cal.4th 529, 544; *People v. Dobson* (2008) 161 Cal.App.4th 1422, 1438–1439; and *People v. Taylor* (2008) 160 Cal.App.4th 304, 312. As those cases demonstrate, we are not required to review the record for any arguable issues.¹ The MDO extension here was by statute a civil proceeding (Pen. Code, § 2972, subd. (a)), and not subject to a *People v. Wende* (1979) 25 Cal.3d 436 review for the reasons explained in those cases.

Disposition

The appeal is dismissed.

Marchiano, P.J.

We concur:

Dondero, J.

Banke, J.

¹ Although not required to conduct a review, we did read the record of the hearing on defendant's demurrer and the trial including the testimony of defendant's treating psychologist, Dr. Richard Ettelson, defendant's own testimony about the history of her condition, and the jury instructions.